

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re Bair Hugger Forced Air Warming  
Products Liability Litigation

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:  
All Actions

**DECLARATION OF MONICA L.  
DAVIES IN SUPPORT OF 3M  
COMPANY'S MOTION  
TO REMOVE "CONFIDENTIAL"  
DESIGNATION FROM  
DOCUMENTS PRODUCED BY  
AUGUSTINE**

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Monica L. Davies, being first duly sworn, deposes and declares:

1. I am one of the attorneys representing Defendant 3M Company in connection with the above-referenced matter. I make this declaration in support of 3M Company's Motion to Remove "Confidential" Designation From Documents Produced by Augustine.
2. Attached hereto as Exhibit A is a summary chart that describes the documents at issue in 3M's motion.
3. Attached hereto as Exhibit B are copies of two letters, one dated April 2, 2010, and the other dated April 19, 2010, both directed to Gary Maharaj at Arizant Healthcare, Inc., from Scott Augustine.
4. Attached hereto as Exhibit C is a copy an email chain between J. Randall Benham, David Hodges, Gabriel Assaad, and Scott Augustine, which was produced to 3M in discovery, including emails from April 25, 2013 through April 30, 2013.
5. Attached hereto as Exhibit D is a copy of certain portions of the transcript of the Deposition of Scott D. Augustine, along with certain exhibits to that deposition. Please

note that, to avoid overly voluminous exhibits, the index to the report marked as Exhibit 29 has been omitted. We would be happy to provide the index in its entirety should the Court wish to review it.

6. Attached hereto as Exhibit E is a copy of an Executive Summary prepared by Augustine Temperature Management.

7. Attached hereto as Exhibit F is are copies of emails sent by Augustine and/or Augustine-controlled entities to third parties throughout the United States, falsely stating that the Bair Hugger system is being recalled.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 5th day of June, 2017.

/s/ Monica L. Davies  
Monica L. Davies (MN #0315023)  
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